# COMMON LAW HANDBOOK

## FOR JURORS, SHERIFFS, BAILIFFS AND JUSTICES

*Justice and judgment are the habitation of thy throne: mercy and truth shall go before thy face.*
—Psalms 89:14

*"Governments are instituted among Men, deriving their Just powers from the consent of the governed."*
—Declaration of Independence

*"Men must be governed by God or they will be ruled by tyrants."*
—William Penn

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IT IS THE DUTY of jurors, sheriffs, bailiffs and justices to resist all infringements upon the rights of the people without delay.

Thomas Jefferson said: "Whenever people are well-informed they can be trusted with their own government." Clearly the government cannot be in charge of deciding for themselves whether or not they should indict themselves on criminal charges. This is precisely why we have so much corruption in our government. It is the duty of the people to stand up as the faithful and wise stewards (Luke 12:42), and bring the *servants* who think themselves *master* back into subjection.

## COMMON LAW IS COMMON SENSE

The question each jurist must ask themselves is: "Is there an injured party?" There is a Common Law principle which states that for there to be a crime, there must first be a victim (corpus delecti); the state cannot be the injured party. In the absence of a victim, there can be no crime. This is what the grand jurist must discover.

"The constitutions of most of our states assert that all power is inherent in the people; that they may exercise it by themselves, in all cases to which they think themselves competent, (as in electing their functionaries executive and legislative, and deciding by a jury of themselves, both fact and law, in all judiciary cases in which any fact is involved) or they may ask by representatives, freely and equally chosen; that it is their right and duty to be at all times armed; to freedom of person; freedom of religion; freedom of property; and freedom of the press." (Thomas Jefferson, letter to John Cartwright; June 5, 1824; "The Thomas Jefferson Papers," Library of Congress)

**GRAND JURORS [25].** It is the "DUTY" of the Common Law Grand Jury to expose all fraud and corruption whether it is in the political or judicial realm and stop it! The Authority of the Grand Jury is found only in the Bill of Rights, therefore it comes from God and not government.

**AMENDMENT V.** "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury...." It is in effect a fourth branch of government "governed" and administered to directly by and on behalf of the American people.

**TRIAL JURORS [12].** It is the duty of the Jury to execute Justice and sometimes mercy, their decisions cannot be second guessed. "...The jury shall have the right to determine the law and the fact." (New York Constitution Article 1. §8 )

"As understood at common law and as used in constitutional provision, *jury* imports a body of twelve men." [State v. Dalton, 206 N.C. 507, 174 S.E. 422, 424; People ex rel. Cooley v. Wilder, 255 N.Y.S. 218, 222, 234 App. Div. 256; Hall v. Brown, 129 Kan. 859, 284 P. 396.]

## JURY NULLIFICATION

*"The jury has an unalienable right to judge both the law as well as the fact in controversy."*

—John Jay, 1st Chief Justice
United States Supreme Court, 1789

*"The jury has the right to determine both the law and the facts."*

—Samuel Chase, Justice
US Supreme Court, 1796
Signer of the unanimous Declaration

*"The jury has the power to bring a verdict in the teeth of both law and fact."*

—Oliver Wendell Holmes, Justice
US Supreme Court, 1902

Central to the history of trial by jury is the right of jurors to vote "not guilty" if the law is unjust or unjustly applied. When jurors acquit a factually guilty defendant, we say that the jury "nullified" the law. The Founding Fathers believed that juries in criminal trials had a role to play as the "conscience of the community," and relied on juries' "nullifying" to hold the government to the principles of the Constitution.

*"Trust in the jury is, after all, one of the cornerstones of our entire criminal jurisprudence, and if that trust is without foundation we must re-examine a great deal more than just the nullification doctrine."*

—Judge David L. Bazelon

There may be no feature more distinctive of American legal culture than the criminal trial jury. Americans have a deep and stubborn devotion to the belief that the guilt or innocence of a person accused of crime can only be judged fairly by a "jury of his peers." This notion is a particularly American one, although it was inherited from English common law during the Colonial era.

**KENTUCKY RESOLUTIONS.** A series of resolutions drawn up by Jefferson, and adopted by the legislature of Kentucky in 1799, protested against the "alien and sedition laws," declared their illegality, announced the strict constructionist theory of the federal government, and declared "nullification" to be "the rightful remedy."

**JUSTICE.** It is the duty of the Justice to do justice. In common law, the title *Justice* is given in England to the judges of the king's bench and the common pleas, and in America to the judges of the Supreme Court of the United States and of the appellate courts of many of the states. In the most extensive sense of the word, "justice" differs little from "virtue," for it includes within itself the whole circle of virtues. Yet the common distinction between them is that that which, considered positively and in itself, is called "virtue," when considered relatively and with respect to others has the name of "justice." But "justice," being in itself a part of "virtue," is confined to things simply good or evil, and consists in a man's taking such a proportion of them as he ought. [Bouvier]

**THE SOURCE OF VIRTUE.** Found in Luke 6:19: "And the whole multitude sought to touch him: for there went virtue out of him, and healed them all."

Therefore a Justice is to reflect divine qualities, as we read in Phil 4:8: "Finally, brethren, whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things."

## SHERIFF: TOP COP

*"America will never be destroyed from the outside. If we falter and lose our freedoms, it will be because we destroyed ourselves."*

—Abraham Lincoln

Justice Scalia, writing for the majority in a 1997 decision, said that the "States are not

subject to federal direction," and that the US Congress only had "discreet and enumerated powers," and that federal impotency was "rendered express" by the Tenth Amendment. He confirmed that the Sheriff is the Chief Law Enforcement Officer (CLEO) of the county, and also proclaimed that the States "retained an inviolable sovereignty." Scalia went even further in this landmark decision, one in which two small-town sheriffs headed the Feds "off at the pass" and sent them on their way. Scalia, in his infinite obligation to the Constitution, took this entire ruling to the tenth power when he said, "The Constitution protects us from our own best intentions...so that we may resist the temptation to concentrate power in one location as an expedient solution to the crisis of the day." Obviously the Sheriff is the Peoples' last line of defense against a government gone rouge.

The county sheriff is the last line of defense when it comes to upholding and defending the Constitution. The sheriff's duties and obligations go far beyond writing tickets, arresting criminals and operating jails. The Sheriff also has an obligation to protect the Constitutional rights of the citizens in our counties. This includes the right to free speech, the right to assemble, and the right to bear arms. *Remember the oath.*

Sheriffs took an oath to uphold and defend the Constitution from enemies foreign AND domestic. In the history of our world, it is government tyranny that has violated the freedoms granted to us by our Creator more than any other. And it is the duty of the sheriff to protect their counties from those that would take away our freedoms—both foreign AND domestic—whether it is a terrorist from Yemen or a bureaucrat from Washington, DC.

**BAILIFF.** Officers who perform the duties of sheriffs within liberties or privileged jurisdictions, in which formerly the king's writ could not be executed by the sheriff. One to whom some authority, care, guardianship, or jurisdiction is delivered, committed, or entrusted; one who is deputed or appointed to take charge of another's affairs; an overseer or superintendent; a keeper, protector, or guardian; a steward. (Spellman:. A sheriff's officer or deputy. 1 Bl. Comm. 34); A court attendant.

It is the duty of all above to correct injustice in as much as it is in their power to do so. If correction is not possible, it is the duty of the court officer(s) to report the problem to the protectors of the People—the Grand Jury—in who's' hand justice has been entrusted.

## UNITED STATES CODES

*Remedy of the people when rights violated*

THIS CONSTITUTION, and the LAWS OF THE UNITED STATES which SHALL BE made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the SUPREME LAW OF THE LAND; and the JUDGES IN EVERY STATE SHALL BE BOUND THEREBY, anything in the Constitution or laws of any State to the contrary notwithstanding.

**MISPRISION OF TREASON—USC 18 §2382**

Whoever having knowledge of treason, conceals and does not make known the same to some judge, is guilty of treason for contempt against the sovereign, and shall be fined under this title or imprisoned not more than seven years, or both.

**BRIBERY—USC 18 §201**

Bribery of any public official directly or indirectly, gives, offers, or promises anything of value to any person to influence any official act.

**CONSPIRACY AGAINST RIGHTS—USC 18 §241**

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State in the free exercise or enjoyment of any right, they shall be fined under this title or imprisoned not more than ten years, or both.

**DEPRIVATION OF RIGHTS—USC 18 §242**

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State the deprivation of any rights, shall be fined under this title or imprisoned not more than one year, or both.

**CONCEALMENT—USC 18 §2071**

Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, documents filed or deposited with any clerk or officer of any court, shall be fined or imprisoned not more than three years, or both.

**CLERK IS TO FILE—USC 18 §2076**

Whoever, being a clerk, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.

**DEPRIVATION OF RIGHTS—USC 42 §1983**

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall

be liable to the party injured in an action at law.

**CONSPIRACY TO INTERFERE—USC 42 §1985**

If two or more persons in any State or Territory conspire for the purpose of depriving, either directly or indirectly any persons rights the party so injured or deprived may have an action for the recovery of damages against any one or more of the conspirators.

**NEGLECT TO PREVENT—USC 42 §1986**

Every person who, having knowledge that any of the wrongs conspired to be done or are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured

**ALL IS MINE.** Job 41:11: "Whatsoever is under the whole heaven is mine." Ezekiel 18:4: "Behold, all souls are mine; as the soul of the father, so also the soul of the son is mine." Exodus 19:5: "Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people: for all the earth is mine." Psalms 50:12: "If I were hungry, I would not tell thee: for the world is mine, and the fullness thereof." Proverbs 8:14: "Counsel is mine, and sound wisdom: I am understanding; I have strength."

## GOVERNMENT BY CONSENT

Our founders purposely placed the power of the Grand Jury in the Bill of Rights to make it clear that it belongs to the people, and the government is not to violate it. It is the "ultimate power" of the people which allows them to consent or not to the actions

of their servant government. It also prevents government from unrighteous prosecutions by forcing the government to seek permission from the people before criminal charges can be filed; if the people refuse it cannot go forward. By understanding this principle it becomes clear that the government has no authority to control your behavior, and therefore neither do legislators—without your consent.

The Declaration of Independence says:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

**ALL MEN DECIDE** whether they want to participate in the institutions of men or not. The United States Supreme Court confirmed this when they said: "…every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." (Cruden v. Neale, 2 N.C. 338 May Term, 1796)

There are only three ways a court can hear a criminal complaint; (1) One or more of the people sign a sworn affidavit that they have been injured; (2) A prosecutor, on behalf of the government, brings an accusation before the Grand Jury and the Grand Jury either indicts or does nothing; (3) The Grand Jury by its "own will," can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not; and if it finds wrongdoing it can present it to the court and

it must go to trial. No one can second guess the Grand Jury, unless the Grand Jury's actions violate another's unalienable rights.

Consent and Jurisdiction: it's all about Consent and Jurisdiction. In order to possess liberty it is extremely important that you understand *consent*: our servant government cannot do anything without your consent.

Any authority our servants have is by our consent; if they act outside their authority they are subject to criminal charges under US Codes 42 and 18, and are liable for damages under US Codes and common law.

The Fifth Amendment states: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury…," therefore our servant government requires the people to get an indictment (grand jury). Judges (servant) have no authority to make a ruling or a judgment on people (master) without your consent. In legal terms, when the judge asks you *"do you understand?"* he means, do you stand under the authority of this court? So, when you say *"Yes,"* you just gave him/her jurisdiction over you!

Our U.S. Constitution only authorizes "common law courts," also known as "courts of record." A court of record removes the power of the Judge to make a ruling; his role is that of the "administrator" of the court. The final decision maker is the "tribunal," who is either the "sovereign plaintiff" or a "jury." Remember, the servant cannot rule over the master; can the clay rule over the potter?

"…Every man is independent of all laws, except those prescribed by nature. He is not

bound by any institutions formed by his fellow-man without his consent." (Cruden v. Neale)

Herein is Liberty: if "YOU" do not give the court consent, they have no "JURISDICTION" over "YOU"!

Under US Codes 42 and 18, when you are detained—without your consent—for violating a statute, you have just been kidnapped; and if the Judge sets a bail, he just set a ransom; and when the prosecutor confirms the charges, they are all part of a conspiracy, and "YOU" can put them in jail and sue them for damages. It's all about Consent and Jurisdiction.

## THE REAL LAW

The common law is the real law, the Supreme Law of the land; the code, rules, regulations, policy and statutes are not the law.

Legislated statutes enforced upon the people in the name of law is a fraud. It has no authority and is without mercy. Justice without mercy is Godless, and therefore repugnant to our United States Constitution. Lawmakers were given authority by the people to legislate codes, rules, regulations, and statutes which are policies, procedures, and "law" to control the behavior of bureaucrats, elected and appointed officials, municipalities and agencies, but were never given authority to control the behavior of the people—as we read in a US Supreme court decision: "All laws, rules and practices which are repugnant to the Constitution are null and void." (Marbury -v-Madison, 5th US (2 Cranch) 137, 174, 176, 1803)

Legislators simply do not have the authority to rule make. "Where rights secured by the

Constitution are involved, there can be no rule making or legislation which would abrogate them." (Miranda v. Arizona, 384 U.S. 436, 491)

God breaks down the law as follows: "And Jesus answered him, The first of all the commandments is, Hear, O Israel; The Lord our God is one Lord: And thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and with all thy strength: this is the first commandment. And the second is like, namely this, Thou shalt love thy neighbour as thyself. There is none other commandment greater than these" (Mark 12:29-31).

Although it is a sin, punishable only by the Judge of the Universe, to break the commandment to love in your mind, words, and deeds. It does not become a crime punishable *by man* until your words and deeds are expressed in actions that injure another.

Thomas Jefferson said: "I would rather be exposed to the inconveniences attending too much liberty than those attending too small a degree of it."

If one of the people exercises his free will to do such things as carry a weapon, travel, practice law, park without depositing money in a meter, use hemp, pharmaceuticals, alcohol, vitamins, minerals or any other substance for medicinal or recreational purposes, legislators do not have the authority to impose upon the people a fine, a license, or make such rights a crime.

## RIGHTS AND SOVEREIGNTY

Only *people* are sovereign and have rights. Bureaucrats, in their capacity, are not sovereign and have no rights. They have authority given

by the people and are subject to the statutes. "The state cannot diminish rights of the people." (Hurtado v. People of the State of California, 110 U.S. 516)

"The assertion of federal rights [Bill of Rights], when plainly and reasonably made, is not to be defeated under the name of local practice." (Davis v. Wechsler, 263 US 22, 24)

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." (Miranda v. Arizona, 384 US 436, 491)

"There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights." (Sherer v. Cullen, 481 F 946)

"Sovereignty itself is, of course, not subject to law, for it is the author and source of law." (Yick Wo v. Hopkins, 118 US 356, 370). To deprive the People of their sovereignty, it is first necessary to get the People to agree to submit to the authority of the entity they have created. That is done by getting them to claim they are citizens of that entity (see Constitution for the U.S.A., XIV Amendment, for the definition of a citizen of the United States).

## LICENSING LIBERTY

"No state shall convert a liberty into a license, and charge a fee therefore." (Murdock v. Pennsylvania, 319 U.S. 105)

"If the State converts a right (liberty) into a privilege, the citizen can ignore the license and fee and engage in the right (liberty) with impunity." (Shuttlesworth v. City of Birmingham, Alabama, 373 U.S. 262)

## REMEDY FOR EVERY INJURY

*"Every right when with-held must have a remedy, and every injury it's proper redress."*

—William Blackstone

In the third volume of his Commentaries, page 23, Blackstone states two cases in which a remedy is afforded by mere operation of law. "In all other cases," he says, "it is a general and indisputable rule that where there is a legal right, there is also a legal remedy by suit or action at law whenever that right is invaded."

And afterwards, on page 109 of the same volume, he says, "I am next to consider such injuries as are cognizable by the Courts of common law. And herein I shall for the present only remark that all possible injuries whatsoever that did not fall within the exclusive cognizance of either the ecclesiastical, military, or maritime tribunals are, for that very reason, within the cognizance of the common law courts of justice, for it is a settled and invariable principle in the laws of England that every right, when with-held, must have a remedy, and every injury its proper redress." (5 U.S. 137, Marbury v. Madison)

"The Government of the United States has been emphatically termed a government of laws, and not of men. It will certainly cease to deserve this high appellation if the laws furnish no remedy for the violation of a vested legal right." (Marbury v. Madison, 5 U.S. 137, 1803)

"…That statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land." (Hoke vs. Henderson,15, N.C.15,25 AM Dec 677)

"...The right to be let alone—the most comprehensive of rights and the right most valued by civilized men. To protect that right, every unjustifiable intrusion by the government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the Fourth Amendment." (Olmstead v. U.S., 277 U.S. 438, 478, 1928)

## COURT

The court belongs to the sovereign, plaintiff (people). Black's Law Dictionary, 5th Edition, page 318 defines the *court* as "The person and suit of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be." In the US Supreme Court case Isbill v. Stovall, the court was defined as "An agency of the sovereign created by it directly or indirectly under its authority, consisting of one or more officers, established and maintained for the purpose of hearing and determining issues of law and fact regarding legal rights and alleged violations thereof, and of applying the sanctions of the law, authorized to exercise its powers in the course of law at times and places previously determined by lawful authority."

"JUDICIAL NOTICE, or knowledge upon which a judge is bound to act without having it proved in evidence." (Black's Law 4th edition)

Take Judicial notice that judges are bound by oath to obey American Jurisprudence book.

**JUDGES SWORN TO OBEY.** "Since the constitution is intended for the observance of the judiciary as well as other departments of government and the judges are sworn to support its provisions, the courts are not at liberty to overlook or disregard its commands

or counteract evasions thereof, it is their duty in authorized proceedings to give full effect to the existing constitution and to obey all constitutional provisions irrespective of their opinion as to the wisdom or the desirability of such provisions and irrespective of the consequences, thus it is said that the courts should be in our alert to enforce the provisions of the United States Constitution and guard against their infringement by legislative fiat or otherwise in accordance with these basic principles, the rule is fixed that the duty in the proper case to declare a law unconstitutional cannot be declined and must be performed in accordance with the delivered judgment of the tribunal before which the validity of the enactment it is directly drawn into question. If the Constitution prescribes one rule and the statute another in a different rule, it is the duty of the courts to declare that the Constitution and not the statute governs in cases before them for judgment." (16Am Jur 2d., Sec. 155:)

## LAW OF THE LAND

*"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding."*

—US Constitution

"…Thus, the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law

repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument." After more than 200 years this decision still stands. (Marbury v. Madison 5 U.S. 137, 1803)

All cases which have cited Marbury v. Madison case to the Supreme Court have never been overturned. (See Shephard's Citation of Marbury v. Madison)

The constitution was ordained and established by the people "for" the United States of America, aka *government*. Therefore government was created by an act of the people. Therefore the creation cannot trump the creator.

"If any statement, within any law, which is passed, is unconstitutional, the whole law is unconstitutional." (Marbury v. Madison: 5 US 137, 1803)

"Therefore no legislation…that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land." (Hoke vs. Henderson,15, N.C.15,25 AM Dec 677)

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them." (Miranda v. Arizona, 384 U.S. 436, 491)

**INTERPRETATION.** Any constitutional provision intended to confer a benefit should be liberally construed in favor in the clearly intended and expressly designated beneficiary.

"Then a constitution should receive a literal interpretation in favor of the Citizen, is especially true, with respect to those provisions which were designed to safeguard the liberty

and security of the Citizen in regard to person and property." (16Am Jur 2d: 16Am Jur 2d., Sec. 97; Bary v. United States - 273 US 128 )

## NO EMERGENCY HAS JUST CAUSE TO SUPPRESS THE CONSTITUTION

"While an emergency cannot create power and no emergency justifies the violation of any of the provisions of the United States Constitution or States Constitutions. Public emergency such as economic depression for especially liberal construction of constitutional powers and it has been declared that because of national emergency, it is the policy of the courts of times of national peril, so liberally to construed the special powers vested in the chief executive as to sustain an effectuate the purpose there of, and to that end also more liberally to construed the constituted division and classification of the powers of the coordinate branches of the government and in so far as may not be clearly inconsistent with the constitution." (16Am Jur 2d., Sec. 98)

## CONSTITUTIONS MUST BE CONSTRUED TO REFERENCE THE COMMON LAW

"As to the construction, with reference to Common Law, an important cannon of construction is that constitutions must be construed to reference to the Common Law. The Common Law, so permitted destruction of the abatement of nuisances by summary proceedings, and it was never supposed that a constitutional provision was intended to interfere with this established principle, and although there is no common law of the United States in a sense of a national customary law as distinguished from the common law of England,

adopted in the several states. In interpreting the Federal Constitution, recourse may still be had to the aid of the Common Law of England. It has been said that without reference to the common law, the language of the Federal Constitution could not be understood." (16Am Jur 2d., Sec. 114)

"Various facts of circumstances extrinsic to the constitution are often resorted to, by the courts, to aid them and determining its meaning, as previously noted however, such extrinsic aids may not be resorted to where the provision in the question is clear and unambiguous in such a case the courts must apply the terms of the constitution as written and they are not at liberty to search for meanings beyond the instrument." (16Am Jur 2d., Sec. 117)

**CONFLICTS.** "In all instances, where the court exercises its power to invalidate legislation on constitutional grounds, the conflict of the statute, with the constitution must be irreconcilable. Thus a statute is not to be declared unconstitutional unless so inconsistent with the constitution that it cannot be enforced without a violation thereof. A clear incompatibility between law and the constitution must exist before the judiciary is justified holding the law unconstitutional. This principle is of course in line with the rule that doubts as the constitutionality should be resolved in favor of the constitutionality and the beneficiary." (16Am Jur 2d., Sec. 255)

**BASIS OF ALL LAW.** Nisi prius courts rely on statutes—which is fiction of law, which seeks to control the behavior of the sovereign people who are under common law and not statutes, and who ordained and established the law. Therefore legislators cannot legislate the behavior of the people.

## NO ONE IS BOUND

"No provision of the Constitution is designed to be without effect. Anything that is in conflict is null and void of law. Clearly, for a secondary law to come in conflict with the supreme Law was illogical, for certainly, the supreme Law would prevail over all other laws, and certainly our forefathers had intended that the supreme Law would be the basis of all law, and for any law to come in conflict would be null and void of law; it would bare no power to enforce; it would bare no obligation to obey; it would purport to settle as if it had never existed; for unconstitutionality would date from the enactment of such a law, not from the date so branded in an open court of law; no courts are bound to uphold it, and no Citizens are bound to obey it. It operates as a near nullity or a fiction of law.

"The general rule is that a unconstitutional statute, whether Federal or State, though having the form and name of law, is in reality no law, but is wholly void and ineffective for any purpose, since unconstitutionality dates from the time of its enactment and not merely from the date of the decision so branding it; an unconstitutional law, in legal contemplation, is as inoperative as if it had never been passed. Such a statute lives a question that it purports to settle, just as it would be had the statute not ever been enacted. No repeal of an enactment is necessary, since an unconstitutional law is void. The general principles follows that it imposes no duty, converse no rights, creates no office, bestows no power of authority on anyone, affords no protection and justifies no acts performed under it. A contract which rests on an unconstitutional statute creates no obligation to be impaired by subsequent legislation.

"No one is bound to obey an unconstitutional

law. No courts are bound to enforce it. Persons convicted and fined under a statute subsequently held unconstitutional may recover the fines paid. A void act cannot be legally inconsistent with a valid one and an unconstitutional law cannot operate to supersede an existing valid law. Indeed, in so far as a statute runs counter to the fundamental law of the land, it is superseded thereby. Since an unconstitutional statute cannot repeal, or in any way effect an existing one, if a repealing statute is unconstitutional, the statute which it attempts to repeal, remains in full force and effect and where a statute in which it attempts to repeal remains in full force and effect and where a clause repealing a prior law is inserted in the act, which act is unconstitutional and void, the provision of the repeal of the prior law will usually fall with it and will not be permitted to operate as repealing such prior law.

"The general principle stated above applied to the constitution as well as the laws of the several states insofar as they are repugnant to the constitution and laws of the United States." (16Am Jur 2d., Sec. 256)

## CONGRESS CANNOT ALTER RIGHTS

"On the other hand, it is clear that Congress cannot by authorization or ratification give the slightest effect to a state law or constitution which is in conflict with the Constitution of the United States." (16Am Jur 2d., Sec. 258)

## RIGHTS DO NOT COME IN DEGREES

"Although it is manifested that an unconstitutional provision in the statute is not cured because included in the same act with valid provisions and that there is no degree of

constitutionality." (16Am Jur 2d., Sec. 260)

## STATES CANNOT LICENSE RIGHTS

"A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution, and that a flat license tax here involves restraints in advance the constitutional liberties of Press and Religion and inevitably tends to suppress their existence. That the ordinance is non-discriminatory and that it applies also to peddlers of wares and merchandise is immaterial. The liberties granted by the first amendment are in a preferred position. Since the privilege in question is guaranteed by the Federal Constitution and exists independently of the state's authority, the inquiry as to whether the state has given something for which it cannot ask a return, is irrelevant. No state may convert any secured liberty into a privilege and issue a license and a fee for it." (Mudook v. Penn. 319 US 105, 1943)

"If the state does convert your right into a privilege and issue a license and a fee for it, you can ignore the license and a fee and engage the right with impunity." (Shuttlesworth v. Birmingham Al. 373 US 262, 1962)

**NO IMMUNITY.** "The right of action created by statute relating to deprivation under color of law, of a right secured by the constitution and the laws of the United States and comes claims which are based solely on statutory violations of Federal Law and applied to the claim that claimants had been deprived of their rights, in some capacity, to which they were entitled." (Owen v. Independence 100 Vol. Supreme Court Reports. 1398: [1982]; Main v. Thiboutot 100 Vol. Supreme Court Reports. 2502, 1982)

Judges are under the illusion that they have absolute immunity, but all the cases that are cited making such a claim are without authority [people] and will fail in the federal and state courts in a court of record. Only the people are sovereign; all servants are under statutes and therefore liable to USC 18 and 42. "Where there is no jurisdiction, there can be no discretion;" they are not above the law when they commit a crime; they will go to jail and are subject to civil suits. "No man in this country is so high that he is above the law. No officer of the law may set that law at defiance with impunity. All the officers of the government, from the highest to the lowest, are creatures of the law and are bound to obey it.... It is the only supreme power in our system of government, and every man who, by accepting office participates in its functions, is only the more strongly bound to submit to that supremacy, and to observe the limitations which it imposes on the exercise of the authority which it gives." (U.S. v. Lee, 106 U.S. 196, 220 1 S. Ct. 240, 261, 27 L. Ed 171; 1882)

"There is a general rule that a ministerial officer who acts wrongfully, although in good faith, is nevertheless liable in a civil action and cannot claim the immunity of the sovereign." (Cooper v. O'Conner, 99 F.2d 133)

"Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason." (Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401; 1958)

"A judge must be acting within his jurisdiction as to subject matter and person, to be entitled to immunity from civil action for his acts." (Davis v. Burris, 51 Ariz. 220, 75 P.2d 689; 1938)

"The courts are not bound by an officer's interpretation of the law under which he presumes to act." (Hoffsomer v. Hayes, 92 Okla 32, 227 F. 417)

"Where there is no jurisdiction, there can be no discretion, for discretion is incident to jurisdiction." (Piper v. Pearson, 2 Gray 120, cited in Bradley v. Fisher, 13 Wall. 335, 20 L.Ed. 646; 1872)

**PREAMBLE** The operative word is "establish" and ordain. The People existed in their own individual sovereignty before the constitution was enabled. When the People "establish" a constitution, there is nothing in the word "establish" that signifies that they have yielded any of their sovereignty to the agency they have created. To interpret otherwise would convert the republic into a democracy (Republic vs. Democracy).

## GOVERNMENT

We the people are a Republic, not a democracy, which is just the first step to an Oligarchy.

**REPUBLICAN.** One in which the powers of sovereignty are vested in the people and are exercised by the people, either directly, or through representatives chosen by the people, to whom those powers are specially delegated. (In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35 L.Ed. 219; Minor v. Happersett, 88 U.S. (21 Wall.) 162, 22 L.Ed. 627. Black's Law Dictionary, Fifth Edition, p. 626)

**DEMOCRACY.** That form of government in which the sovereign power resides in and is exercised by the whole body of free citizens directly or indirectly through a system of representation, as distinguished from a monarchy, aristocracy, or oligarchy. (Black's Law Dictionary, 5th Edition, p. 388; Bond v. U.S. SCOTUS recognizes personal sovereignty, June 16, 2011)

**DUTY OF COURTS.** "It is the duty of the courts to be watchful for the Constitutional rights of the citizen and against any stealthy encroachments thereon." (Boyd v. United States, 116 U.S. 616, 635)

"It will be an evil day for American Liberty if the theory of a government outside supreme law finds lodgment in our constitutional jurisprudence. No higher duty rests upon this Court than to exert its full authority to prevent all violations of the principles of the Constitution." (Downs v. Bidwell, 182 U.S. 244; 1901)

"We (judges) have no more right to decline the exercise of jurisdiction which is given, than to usurp that which is not given. The one or the other would be treason to the Constitution." (Cohen v. Virginia, (1821), 6 Wheat. 264 and U.S. v. Will, 449 U.S. 200)

"It may be that it is the obnoxious thing in its mildest form; but illegitimate and unconstitutional practices get their first footing in that way; namely, by silent approaches and slight deviations from legal modes of procedure. This can only be obviated by adhering to the rule that constitutional provisions for the security of persons and property should be liberally construed. A close and literal construction deprives them of half their efficacy, and leads to gradual depreciation of the right, as if it consisted more in sound than in substance. It is the duty of the Courts to be watchful for the Constitutional Rights of the Citizens, and against any stealthy encroachments thereon. Their motto should be Obsta Principiis." (Boyd v. United, 116 U.S. 616 at 635; 1885)

## COURTS OF RECORD

"Courts of record and courts not of record,

the former being those whose acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded." (3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231)

***AT LAW.*** [Bouvier's Law] This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

Any court that ignores due process; all statutory courts ignore due process and is not a common law court; common law courts are "courts of record;" in all courts of record the tribunal is the sovereign plaintiff(s) of the court or the Jury. The Justice is the administrator and reflects the wish of the sovereign, or jury, because the people rule—not government servants. The following "Law of the Land" proves this point.

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme *law of the land*; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

"Law of the land," "due course of law," and "due process of law" are synonymous. (People

v. Skinner, Cal., 110 P.2d 41, 45; State v. Rossi, 71 R.I. 284, 43 A.2d 323, 326; Direct Plumbing Supply Co. v. City of Dayton, 138 Ohio St. 540, 38 N.E.2d 70, 72, 137 A.L.R. 1058; Stoner v. Higginson, 316 Pa. 481, 175 A. 527, 531.)

In a court of record the acts and judicial proceedings are enrolled, whereas in courts not of record, the proceedings are not enrolled. The privilege of having these enrolled memorials constitutes the great leading distinction between courts of record and courts not of record.

To be a court of record a court must have four characteristics, and may have a fifth; they are:

1) "A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it." (Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689 Black's Law Dictionary, 4th Ed., 425, 426 "Judges are magistrates" N.Y. CRC. LAW § 30 : NY Code - Section 30)

2) "Proceeding according to the course of common law." (Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689][Black's Law Dictionary, 4th Ed., 425, 426)

3) "Its acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony." (3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231)

4) "Has power to fine or imprison for contempt." (3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488,

2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231. Black's Law Dictionary, 4th Ed., 425, 426)

5) "Generally possesses a seal." (3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.][Black's Law Dictionary, 4th Ed., 425, 426)

The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. (Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.)

"A consequence of this prerogative is the legal ubiquity of the king. His majesty in the eye of the law is always present in all his courts, though he cannot personally distribute justice." (Fortesc.c.8. 2Inst.186) "His judges are the mirror by which the king's image is reflected." (Blackstone's Commentaries, 270.)

## RIGHT TO PRACTICE LAW

"The term [liberty]...denotes not merely freedom from bodily restraint but also the right of the individual to contract, to engage in any of the common occupations of life, to acquire useful knowledge, to marry, to establish a home and bring up children, to worship God according to the dictates of this own conscience.... The established doctrine is that this liberty may not be interfered with, under the guise of protecting public interest, by legislative action." (Meyer v. Nebraska, 262 U.S. 390, 399, 400.)

"A State cannot exclude a person from the practice of law or from any other occupation in

a manner or for reasons that contravene the Due Process Clause of the Fourteenth Amendment." (Schware v. Board of Bar Examiners, 353 U.S. 232; 1957)

"There can be no sanction or penalty imposed upon one because of his exercise of Constitutional Rights." (Sherar v. Cullen, 481 F. 2d 946; 1973)

"The practice of law cannot be licensed by any state/State." (Schware v. Board of Examiners, United State Reports 353 U.S. pages 238, 239.)

"The practice of law is an occupation of common right." (Sims v. Aherns, 271 SW 720; 1925)

"The assertion of federal rights, when plainly and reasonably made, are not to be defeated under the name of local practice." (Davis v. Wechler, 263 U.S. 22, 24; Stromberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449)

"...The right to file a lawsuit pro se is one of the most important rights under the constitution and laws." (Elmore v. McCammon (1986) 640 F. Supp. 905)

**RIGHT TO ASSIST.** "Litigants can be assisted by unlicensed laymen during judicial proceedings." (Brotherhood of Trainmen v. Virginia ex rel. Virginia State Bar, 377 U.S. 1; v. Wainwright, 372 U.S. 335; Argersinger v. Hamlin, Sheriff 407 U.S. 425

"A next friend is a person who represents someone who is unable to tend to his or her own interest." (Federal Rules of Civil Procedures, Rule 17, 28 USCA "Next Friend)

"Members of groups who are competent non-lawyers can assist other members of the group achieve the goals of the group in court without being charged with "unauthorized practice of law." (NAACP v. Button, 371 U.S. 415); United Mineworkers of America v. Gibbs, 383 U.S. 715; and Johnson v. Avery, 89 S. Ct. 747; 1969)

"There, every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowman without his consent." (Cruden v. Neale, 2 N.C. 338 (1796) 2 S.E.)

"Under our system of government upon the individuality and intelligence of the citizen, the state does not claim to control him/her, except as his/her conduct to others, leaving him/her the sole judge as to all that affects himself/herself." (Mugler v. Kansas 123 U.S. 623, 659-60.)

"The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of local practice." (Davis v. Wechsler, 263 US 22, at 24)

"A State may not impose a charge for the enjoyment of a right granted by the Federal Constitution." (Murdock v. Pennsylvania, 319 U.S. 105, at 113.)

"The State cannot diminish rights of the people." (Hertado v. California, 110 U.S. 516) "The Claim and exercise of a Constitutional Right cannot be converted into a crime." (Miller v. U.S., 230 F 2d 486. 489)

"If the state converts a liberty into a privilege the citizen can engage in the right with impunity" (Shuttlesworth v Birmingham , 373 USs 262)

**FIRST PRINCIPALS.** Liberty is mastered in three powers: 1. Light (God); 2. Justice , synonymous with virtue (Judicial process); 3. Rule of destiny (political process). Remove any one and you lose Liberty. America has lost its way and only a virtuous people can guide her back. And so to that end, the People, by the mercy of God, have rediscovered the common [natural] law grand jury, and with His blessings shall return America to her roots again.

**VIRTUE.** Maxims of law avow that justice and virtue are synonymous. Before a man can implement justice he must first possess virtue, which the Bible declares flows from the Lord alone (Luke 6:19), and defines virtue as whatsoever things are true, honest, just, pure, lovely, and of good report (Phil 4:8). The Lord further expounds saying the wisdom that is from above is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and good fruits, without partiality, and without hypocrisy (James 3:17), and that he that follows after it establishes righteousness and honor (Prov 21:21).

Thomas Jefferson understood this when he said: "God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that These liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just that His justice cannot sleep forever."

George Washington understood this when he said: "The favorable smiles of Heaven can never be expected on a nation that disregards The eternal rules of order and right which Heaven itself has ordained."

Benjamin Franklin understood this when he said: "Only a virtuous people are capable of freedom. As nations become corrupt and vicious, they have more need of masters."

John Adams understood this when he said: "Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."

Patrick Henry understood this when he said:

"It cannot be emphasized too strongly or too often that this great nation was founded, not by religionists, but by Christians; not on religions, but on the Gospel of Jesus Christ. For this very reason peoples of other faiths have been afforded asylum, prosperity, and freedom of worship here."

James Madison understood this when he said: "We have staked the whole future of American civilization, not upon the power of government, far from it. We have staked the future of all of our political institutions upon the capacity of mankind for self-government; upon the capacity of each and all of us to govern ourselves, to control ourselves, to sustain ourselves according to the Ten Commandments of God."

Noah Webster understood this when he said: "No truth is more evident to my mind than that the Christian religion must be the basis of any government intended to secure the rights and privileges of a free people." (Father of American Scholarship and Education)

## THE NAME GAME—PEOPLE OR CITIZEN

*14th Amendment Article I, section 1:*

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

**NATION.** In American constitutional law the word "state" is applied to the several members

of the American Union, while the word "nation" is applied to the whole body of the people embraced within the jurisdiction of the federal government. (Cooley, Const.Lim. 1; Texas v. White, 7 Wall. 720, 19 L. Ed. 227.)

**PRIVILEGE** is merely an accessory of the debt which it secures, and falls with the extinguishment of the debt. (Black's Law 4th edition, 1891)

**PERSONS** are divided by Law into natural and artificial..."corporations" or "bodies politic." Quasi municipal corporations: bodies politic and corporate, created for the sole purpose of performing one or more municipal functions. (Black's Law 4th edition, 1891)

**"WE THE PEOPLE** of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America."

**PEOPLE** are supreme, not the state. (Waring vs. the Mayor of Savanah); The state cannot diminish rights of the people. (Hertado v. California); ...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country, but they are sovereigns without subjects...with none to govern but themselves. (Chisholm v. Georgia)

The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative. (Lansing v. Smith)

**ORDAIN.** To enact a constitution or law. (State v. Dallas City)

**KING** is the sovereign, ruler, holds the highest executive power, aka the People.

"Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts And the law is the definition and limitation of power…." (Yick Wo v. Hopkins)

## ONLY THE PEOPLE CAN SAVE AMERICA

*"I know no safe depositary of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education. This is the true corrective of abuses of constitutional power."*

—Thomas Jefferson

*"Educate and inform the whole mass of the people... They are the only sure reliance for the preservation of our liberty."*

—Thomas Jefferson

*"An enlightened citizenry is indispensable for the proper functioning of a republic. Self-government is not possible unless the citizens are educated sufficiently to enable them to exercise oversight. It is therefore imperative that the nation see to it that a suitable education be provided for all its citizens. It should be noted, that when Jefferson speaks of "science," he is often referring to knowledge or learning in general."*

—Thomas Jefferson

*"If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be."*

—Thomas Jefferson

**FOURTH BRANCH OF GOVERNMENT.** In a stunning 6 to 3 decision, Justice Antonin Scalia, writing for the majority, confirmed that the American grand jury is neither part of the judicial, executive nor legislative branches of government, but instead belongs to the people. It is in effect a fourth branch of government, "governed" and administered to directly by and on behalf of the American people, and its authority emanates from the Bill of Rights. (See United States -v- Williams)

In reality there is only one Grand Jury within a state with locations in each county. We can draw off the jury pool from any county if necessary. When the administrators of each county come together on an issue, they can use the seal of each county on an arbitration or presentment document which can produce extraordinary results.

But in order to be successful we must first seek the blessings from the "GOVERNOR OF THE UNIVERSE," and build our endeavor upon Him and His principles: (1) HONOR, (2) JUSTICE, and (3) MERCY. This is the only sure foundation; any other will succumb to tyrants.

*"Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."*

—John Adams

*"Man will ultimately be governed by God or by tyrants."*

—Benjamin Franklin

**CONSTITUTION OF A GRAND JURY.** We the people, by the mercy and Grace of God having blessed us with the unalienable right of the people as Grand Jurors, secured by the Fifth Amendment of the Bill of Rights for the United States of America, in order to establish justice, insure domestic tranquility, secure the blessings of liberty to ourselves and our posterity by the securing of Natural Law, do ordain and establish this Grand Jury, principled upon Justice, Honor and Grace for a perpetual administration of trust on behalf of the people.

**DUTY OF THE GRAND JURY.** If anyone's unalienable rights have been violated, or removed, without a legal sentence of their peers, from their lands, home, liberties or lawful right, we [the twenty-five] shall straightway restore them. And if a dispute shall arise concerning this matter it shall be settled according to the judgment of the twenty-five Grand Jurors, the sureties of the peace. (Magna Carta, June 15, A.D. 1215, 52.)

**JURIST OATH.** I vow to the Governor of the Universe, in my capacity as Jurist, to insure that all public servants uphold the US Constitution and Bill of Prohibitions (Rights); and to carry out all of my deliberating under Natural Law; principled under Justice, Honor, and Mercy; and to strictly adhere to the following two legal maxims: (1) Every right when withheld must have a remedy, and every injury it's proper redress, and (2) In the absence of a victim there can be no crime "corpus delecti"; the State cannot be the victim. It is the duty of all the People to share in the governing of themselves and to secure their government by participating as a Jurist.

**THINK ABOUT THIS!** If we the people can reinstate Justice, and demand that elected officials and bureaucrats obey the law or be indicted, we would have then succeeded in reinstating the Constitution!

Only the People can stand up and defend the Constitution because the Constitution cannot defend itself, and bureaucrats will never do it

## PRAY AND STAND FOR JUSTICE

*"Hold on, my friends, to the Constitution and the Republic for which it stands. Miracles do not cluster, and what has happened once in 6,000 years, may not happen again. Hold on to the Constitution, for if the American Constitution should fail, there will be anarchy throughout the world."*

—Daniel Webster

*"Necessity is the plea for every infringement of human freedom. It is the argument of tyrants; it is the creed of slaves."*

—William Pitt, Nov. 18, 1783

*"I would rather be exposed to the inconvenience attending too much Liberty than those attending too small degree of it."*

—Thomas Jefferson

## GRAND JURY MISSION STATEMENT

Our mission is to restore the people to sovereignty through knowledge, and only then will they be armed with the virtue to take political and judicial power. The people have it in their power to disarm and defeat the enemy of Liberty—both foreign and domestic—if they only understood the principles of freedom and stand upon them.

To take political power is to control our elected representatives, by bringing them into obedience through fear of the people; this is accomplished by understanding the office of and becoming elected committeemen, and then execute the powers. It's that simple!

To take judicial power is to control our courts by understanding jurisdiction, and bringing into subjection all government officers and officials using common law courts by opening courts of record and executing "people" authority. It's that simple!

But, to successfully apply political and judicial power you must have a sense of justice and mercy, which is synonymous with virtue. And to get virtue you need to have a relationship with your Creator. If everyone exercised these principles, America could shake off the chains of tyranny, reinstate our republic, and bring down the NWO "literally overnight." This is the only way to save the nation; without power you are powerless! Join our endeavor and save our Republic, one people at a time!

*We are Non-Partisan.* A partisan person is "one who is blindly or unreasonably devoted to party positions." Therefore a partisan cannot possibly serve the constitution. George Washington warned us against political parties when he said, "they only succeed in pitting one group against another."

The cause of the grassroots movement is the awakening to our constitutional crisis, for to be engaged in partisan politics would further serve the demise of our constitutional republic. The genius of the progressive movement is their exploitation of partisan politics, which they created to subvert our constitution. Grassroots

groups are natural and spontaneous, whose primary objective is to reinstate the constitution; to be partisan would be counterproductive.

Traditional power structures are orchestrated and designed to harness grassroots movements; "they must always be suspect," and will be proven corrupt if they are partisan—divisive; take control of choosing candidates.

Grassroots are founded locally, control is local, and most events are local. To collaborate with distant groups is necessary for unity, but if events become dictated by them you are no longer grassroots.

*"All that is necessary for the triumph of evil is that good men do nothing."*

—Edmund Burke

**DECLARATION.** We the people, by the mercy and grace of God, ordained with certain unalienable rights, among them the right to form and exercise this 25-people Grand Jury in the spirit of the Magna Carta and our founding fathers, and in obedience to God for this county on behalf of the people, having recorded our authority with the County Clerk and the State Supreme Court Chief Clerk, by which we act in order to establish justice, insure domestic tranquility, secure the blessings of liberty to ourselves and our posterity, by the securing of Natural Law, do hereby return Justice, Honor, and Grace for a perpetual administration of trust on behalf of the people hereby defined in this handbook; *"...so let the wicked perish at the presence of God."* (Psalms 68:2)

## NO GOD, NO LIBERTY.
## KNOW GOD, KNOW LIBERTY.

*"If the Son therefore shall make you free, ye shall be free indeed."*

—John 8:36

*"If a nation expects to be ignorant and free...it expects what never was and never will be."*

—Thomas Jefferson

*"The favorable smiles of Heaven can never be expected on a nation that disregards The eternal rules of order and right which Heaven itself has ordained."*

—George Washington

*"God who gave us life gave us liberty. And can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that These liberties are of the gift of God? That they are not to be violated but with His wrath? Indeed, I tremble for my country when I reflect that God is just that His justice cannot sleep forever."*

—Thomas Jefferson

*"The worship of God is a duty."*

—Benjamin Franklin

*"The fate of unborn millions will now depend, under God, on the courage of this army, Our cruel and unrelenting enemy leaves us only the choice of brave resistance, or the most abject submission, We have, therefore to resolve to conquer or die."*

—George Washington

*"I am sure that never was a people, who had more reason to acknowledge a Divine interposition in their affairs, than those of the*

*United States; and I should be pained to believe that they have forgotten that agency, which was so often manifested during our Revolution, or That they failed to consider the omnipotence of that God who is alone able to protect them."*

—George Washington

*"Only a virtuous people are capable of freedom. As nations become corrupt and vicious, they have more need of masters."*

—Benjamin Franklin

*"Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other."*

—John Adams

*"Statesmen, my dear Sir, may plan and speculate for liberty, but It is religion and morality alone, which can establish the principles upon which freedom can securely stand. The only foundation of a free constitution is pure virtue; and if this cannot be inspired into our people in a greater measure than they have it now, they may change their rulers and the forms of government, but they will not obtain a lasting liberty. They will only exchange tyrants and tyrannies."*

—John Adams

*"The safety and prosperity of nations ultimately and Essentially depend on the protection and blessing of Almighty God; and the national acknowledgment of this truth is not only an indispensable duty, which the people owe to him, but a duty whose natural influence is favorable to the Promotion of that morality and piety, without which social happiness cannot exist, nor the blessings of a free government be enjoyed."*

—John Adams

*"Observe good faith and justice towards all Nations. Cultivate peace and harmony with all. Religion and Morality enjoin this conduct; and can it be that good policy does not equally enjoin it?… Can it be that Providence has not connected the permanent felicity of a Nation with its virtue?"*

—George Washington

*"Nothing can contribute to true happiness that is inconsistent with duty; nor can a course of action conformable to it, be finally without an ample reward. For, God governs; and he is good."*

—Benjamin Franklin

*"Happiness, whether in despotism or democracy, whether in slavery or liberty, can never be found without virtue."*

—John Adams

*"It cannot be emphasized too strongly or too often that this great nation was founded, not by religionists, but by Gods children; not on religions, but on the Gospel of Jesus Christ. For this very reason peoples of other faiths have been afforded asylum, prosperity, and freedom of worship here."*

—Patrick Henry

*"It is the duty of every man to render to the Creator such homage…Before any man can be considered as a member of Civil Society, he must be considered as a subject of the Governor of the Universe…"*

—James Madison

*"We have staked the whole future of American civilization, not upon the power of government, far from it. We have staked the future of all of our political institutions upon the capacity of mankind for self-government; upon the capacity of each and all of us to govern ourselves,*

*to control ourselves, to sustain ourselves according to the Ten Commandments of God."*
—James Madison

*"Religion, or the duty we owe to our Creator, and manner of discharging it, can be directed only by reason and conviction, not by force or violence."*
—James Madison

*"Let it simply be asked where is the security for prosperity, for reputation, for life, if the sense of Religious obligation desert the oaths, which are The instruments of investigation in the Courts of Justice?"*
—George Washington

*"And let us with caution indulge the supposition, that morality can be maintained without religion."*
—George Washington

*"Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both Forbid us to expect that national morality can prevail in exclusion of religious principle."*
—George Washington

*"Tis substantially true, that Virtue or morality is a necessary spring of popular government. "*
—George Washington

*"Though, in reviewing the incidents of my Administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be I fervently beseech the Almighty to avert or mitigate the evils to which they may tend."*
—George Washington

Congress and President George Washington in 1789 passed the "United States Annotated Code," Article III, which states: "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

*"In my view, the Christian religion is the most important and one of the first things in which all children, under a free government ought to be instructed…. No truth is more evident to my mind than that the Christian religion must be the basis of any government intended to secure the rights and privileges of a free people."*

— Noah Webster

*"The brief exposition of the constitution of the United States, will unfold to young person's the principles of republican government; and it is the sincere desire of the writer that our citizens should early understand that The genuine source of correct republican principles is the Bible, particularly the New Testament or the Christian religion."*

—Noah Webster

*"The religion which has introduced civil liberty is the religion of Christ and His apostles, which enjoins humility, piety, and benevolence; which acknowledges in every person a brother, or a sister, and a citizen with equal rights. This is genuine Christianity, and to this we owe our free Constitutions of Government."*

—Noah Webster

*"The moral principles and precepts contained in the Scriptures ought to form the basis of all of our civil constitutions and laws … All the miseries and evils which men suffer from vice, crime, ambition, injustice, oppression, slavery and war,*

*proceed from their despising or neglecting the precepts contained in the Bible."*

—Noah Webster

*"If the citizens neglect their duty and place unprincipled men in office, the government will soon be corrupted; laws will be made not for the public good so much as for the selfish or local purposes."*

—Noah Webster

*"Every master of slaves is born a petty tyrant. They bring the judgment of heaven upon a country. As nations cannot be rewarded or punished in the next world, they must be in this. By an inevitable chain of causes and effects, Providence punishes national sins, by national calamities."*

—George Mason
Father of our Bill of Rights, 1787

Common Law is our Heritage! Liberty is our inheritance! We the people have been lulled asleep; we have been robbed and persuaded to sell our birthright. "*Whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed.*" (James 1:25)

"*My people are destroyed for lack of knowledge….*" (Hosea 4:6)

"*Get wisdom, get understanding: forget it not; neither decline from the words of my mouth. Forsake her not, and she shall preserve thee: love her, and she shall keep thee. Wisdom is the principal thing; therefore get wisdom: and with all thy getting get understanding. Exalt her, and she shall promote thee: she shall bring thee to honour, when thou dost embrace her.*" (Prov 4:5-8)

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## NATURAL LAW

Love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law and the prophets. (Mat 22:37-40)

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